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Proposal No. 294 RELATING TO THE BILL OF RIGHTS

Statement for
Con Con Committee on Bill of Rights,
Suffrage and Elections
Public Hearing 2 August 1978

by
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Proposal No. 294 suggests amending Article I, Section 2, through addition of "the right to a healthful environment" to the already recognized inherent and inalienable rights. This statement does not reflect the institutional position of the University of Hawaii.

The need for a healthful environment appears to be as important as other basic rights now recognized in the Constitution, and of much the same nature. As the other rights regarded as inherent and inalienable, it is not a right held absolutely by individuals to the extent of limiting the rights of others. In other words, like other rights, it is correlative.

We note that the similar expression of a right in Proposal No. 45 is coupled with the statement of a right to standing to enforce the right to a healthful environment and suggest such coupling be considered in the case of Proposal No. 294.